

rests his whole case.

"Here is an illustration, Your Honor. This is the photograph made under the direction of Captain Van Amburgh. The mortal bullet, that little bullet that was here on your desk, magnified many times, is this one. This is a photograph of a bullet which was fired through this revolver which you also see on your desk. Now the question is whether in any respect these two photographs thus many times enlarged disclose any resemblances to each other with reference to tracing of lines or marks which appear upon the surface.

"In order to develop his argument, he first, with a sharp knife, cut a slit in this photograph. He inserts through that slit the strip picture of the recovered bullet, and, pushing this up and down, finally reaches a place where he says the lines coincide.

"Well, I worked at that for two hours one day, and yesterday, in the presence of Captain Van Amburgh, worked on it for more than an hour. It took Captain Van Amburgh 15 minutes to find the point of junction himself—well, say five minutes, it will be more conservative. It is only with great difficulty that he, himself, is able to place these photographs in a position that is satisfactory to him.

"Then a peculiar thing developed. I called his attention to it, and he had absolutely, so far as I could see, no answer to it. I asked him to put the photographs in the position which he claimed demonstrated his point, and he got them to that position. Then I said, "Now, lift up the flap and look and see what is under it," and I thought somewhat reluctantly the flap was lifted and on the under picture we saw a scene totally different from that which we saw on the upper picture. I asked him whether it was not perfectly logical to assume that if the two pictures had been superimposed—that is, if the other picture was transparent and placed over the other—that there ought not to be a continuous similarity in the surface appearances. He admitted that that was logical, and I never could get a satisfactory explanation for the discrepancy.

"I am free to say that I am unable to make any such deduction. I examined these photographs with extreme care and, in my judgment, they do not bear out his contention. I examined them in his